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In re Application of	:	
Hanna	:	
Application No.: 09/857326	:	DECISION ON
PCT No.: PCT/NZ99/00209	:	
Int. Filing Date: 03 December 1999	:	PETITION UNDER
Priority Date: 03 December 1998	:	
Attorney Docket No.: 14728-00002	:	37 CFR 1.137(b)
For: Improvements Relating To Fibre	:	
Yarn And Rope Production	:	

This is a decision on applicant's petition under 37 CFR 1.137(b) filed on 31 July 2001.

BACKGROUND

This international application was filed on 03 December 1999 and claimed a priority date of 03 December 1998. The International Bureau transmitted a copy of the published international application to the United States Patent and Trademark Office on 08 June 2000. A Demand electing the United States was filed on 28 June 2000, which was prior to the elapse of 19 months from the priority date. Consequently, the thirty period for payment of the basic national fee in the United States expired as of midnight on 04 June 2001 (since 03 June 2001 was a Sunday).

On 01 June 2001, applicant filed a transmittal letter for entry into the national stage in the United States via Express Mail. The transmittal letter was not accompanied by the basic national fee.

On 25 July 2001, a Notification of Abandonment (Form PCT/DO/EO/909) was mailed to applicants, indicating that this application had become abandoned with respect to the U.S. for failure to timely pay the required basic national fee.

On 31 July 2001, applicants filed the instant petition under 37 CFR 1.137(b).

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed; (2) the petition fee as set forth in § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due

date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in § 1.20 (d)) required pursuant to paragraph (c) of this section. Requirements (2), (3) and (4) were previously satisfied.

Regarding requirement (1), the petition is accompanied by the required reply in the form of the basic national fee.

Regarding requirement (2), the petition is accompanied by the petition fee.

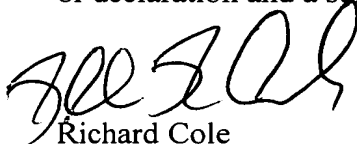
Regarding requirement (3), the petition includes an appropriate statement.

Regarding requirement (4), no terminal disclaimer is required because the international filing date of this application is later than 8 June 1995.

DECISION

The petition is **GRANTED**.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing, including the preparation and mailing of a Notification of Missing Requirements 9Form PCT/DO/EO/905) requiring the submission of an executed oath or declaration and a surcharge under 37 CFR 1.492(e).



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